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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/803,424 | 03/08/2001 | William Westfield | CISCP546 | 4828 |

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RITTER, LANG & KAPLAN
12930 SARATOGA AE. SUITE D1
SARATOGA, CA 95070

| EXAMINER | |
|---|---|
| LY, NGHI H | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2686 | 5 |

DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/803,424 | WESTFIELD, WILLIAM | |
| | Examiner | Art Unit | |
| | Nghi H. Ly | 2686 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) 1-34 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-34 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 4-12, 14-18, 21 and 23-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ariga (US 6,625,455) in view of Chang et al (US 6,487,406).

Regarding claims 1, 11, 15, 21, 25, 27, 29, 30 and 32, Ariga teaches a cellular wireless communication system (see fig.1b), a method of spatially controlling cellular phone access (see abstract), the method comprising: receiving a message at a central facility (fig3, see "position registration request 301"), the message including information about whether a cellular phone device is in an area of restricted service access (fig3, see "position registration request 301" and see column 4, lines 63-67), the message including an identifier associated with the cellular phone device (fig3, see "position registration request 301" and see column 4, lines 63-67. In order to register, the position registration request of Ariga inherently includes *an identifier associated with the cellular phone device*), updating data associated with the cellular phone device in response to receiving the message (see column 3, lines 44-54 and see fig.3, "power off request 303").

Ariga does not specifically disclose a cellular wireless communication system is an IP-based cellular wireless communication system and the message is IP message.

Chang teaches a cellular wireless communication system is an IP-based cellular wireless communication system and the message is IP message (see column 2, lines 26-32 and see column 7, line 65 to column 8 line 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Chang into the system of Ariga in order to supply a protocol and system which provide seamless IP mobility across multiple PCS and IP networks while permitting any PCS air interface technology to be used (see Chang, column 2, lines 20-24).

Regarding claim 2, Ariga further teaches the central facility is a switching center that controls access to a plurality of cellular base stations (see fig.1b, the radio network 103 inherently includes a switching center).

Regarding claim 4, Ariga further teaches updating includes setting a status associated with the cellular phone in one or more location records to be a hush status (see column 5, lines 29-42).

Regarding claim 5, the combination of Ariga and Chang further teaches sending an IP message to the cellular phone device (see Ariga, fig.3, "power off request 303" and see Chang, column 7, line 65 to column 8 line 6).

Regarding claim 6, Ariga further teaches the IP message includes a hushing command (see Ariga, fig.3, "power off request 303" and see Chang, column 7, line 65 to column 8 line 6).

Regarding claim 8, Ariga further teaches the identifier is a Mobile Identification Number (fig3, see "position registration request 301" and see column 4, lines 63-67. In

order to register, the position registration request of Ariga inherently includes *an identifier associated with the cellular phone device and the identifier is a Mobile Identification Number).*

Regarding claim 9, the combination of Ariga and Chang further teaches the one or more locator records include a Home Location Register (HLR) (see Chang, column 12, lines 11-15).

Regarding claim 10, the combination of Ariga and Chang further teaches the one or more locator records include a Visitor Location Register (VLR) (see Chang, column 9, lines 60-64).

Regarding claim 12, Ariga further teaches the cellular phone device (fig.3, see "portable telephone set 1") and the second cellular phone device (fig.3, see "portable telephone set 2") are a same cellular phone device (also see fig.3).

Regarding claim 14, Ariga further teaches the special quiet zone processing includes sending the call to a phone mail box (see column 5, lines 39-42).

Regarding claim 16, the combination of Ariga and Chang further teaches monitoring the cellular phone device, determining when the cellular phone device has left the area, sending a second IP message to a service provider control point that includes information that the cellular phone device has left the area (see Ariga, column 6, lines 2-11 and see column 5, lines 45-57 and see Chang, column 7, line 65 to column 8 line 6).

Regarding claim 17, Ariga further teaches a method further comprising locally maintaining a list of cellular phone devices in the area (column 5, lines 21-29 and column 5, lines 58-65 see "database").

Regarding claim 18, the combination of Ariga and Chang further teaches causing an IP message (see Chang, column 7, line 65 to column 8 line 6) to be sent to the cellular phone device that includes notification that the cellular phone devices has entered a quiet zone (see Ariga, column 6, lines 8-11).

Regarding claim 23, Ariga further teaches the phone goes into a quiet mode in response to the hushing message, the quiet mode including the volume on a ringer being turned off (see column 3, lines 44-48).

Regarding claim 24, Ariga further teaches the phone goes into a non-transmit mode in response to the hushing message, the quiet mode including a transmitter of the phone being kept off (see column 3, lines 29-32).

Regarding claim 26, Ariga teaches a cellular wireless communication system (see fig.1b), an apparatus for spatially controlling cellular phone access (see Abstract), the apparatus comprising: a processing system (see fig.2), a memory storing code for operating the processing system (see fig.2, boxes 203 and 204), the code comprising: code that receives a message at a central facility, the message including information about whether a cellular phone device is in an area of restricted service access (fig3, see "position registration request 301" and see column 4, lines 63-67), the message including an identifier associated with the cellular phone device (fig3, see "position registration request 301" and see column 4, lines 63-67. In order to register, the

position registration request of Ariga inherently includes *an identifier associated with the cellular phone device and the identifier is a Mobile Identification Number)*, and code that updates data associated with the cellular phone device in response to receiving the message (see column 3, lines 44-54 and see fig.3, "power off request 303").

Ariga does not specifically disclose a cellular wireless communication system is an IP-based cellular wireless communication system and the message is IP message.

Chang teaches a cellular wireless communication system is an IP-based cellular wireless communication system and the message is IP message (see column 2, lines 26-32 and see column 7, line 65 to column 8 line 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Chang into the system of Ariga in order to supply a protocol and system which provide seamless IP mobility across multiple PCS and IP networks while permitting any PCS air interface technology to be used (see Chang, column 2, lines 20-24).

Regarding claims 28 and 31, Ariga teaches the computer readable medium is a CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, or data signal embodied in a carrier wave (see fig.2, box 203 ROM).

Regarding claim 33, Ariga further teaches operating in the hush mode (see column 3, lines 44-54).

Regarding claim 34, the combination of Ariga and Chang further teaches receiving a second IP message (see Chang, column 7, line 65 to column 8 line 6)

including an anti-hush command and exiting hush mode (see Ariga, column 3, lines 45-64).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ariga (US 6,625,455) in view of Chang et al (US 6,487,406) and further in view of Bansal et al (US 6,26,272).

Regarding claim 3, the combination of Ariga and Chang fteaches claim 1. The combination of Ariga and Chang does not specifically disclose updating includes adding the identifier to a table of hushed phones.

Bansal teaches updating includes adding the identifier to a table of hushed phones (see column 6, lines 42-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Bansal into the system of Ariga and Chang in order to reduce calling cost for wireless phone (see Bansal, column 1, lines 9-12).

4. Claims 7, 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ariga (US 6,625,455) in view of Chang et al (US 6,487,406) and further in view of Hsu et al (US 6,587,684).

Regarding claims 7, 19 and 22, the combination of Ariga and Chang teaches web page with selectable buttons associated with hush options (see Chang, Abstract and see Ariga, column 7, lines 19-24 and see column 1, lines 19-27).

The combination of Ariga and Chang does not specifically disclose the IP message includes an HTTP web page.

Hsu teaches the IP message includes an HTTP web page (see column 6, lines 48-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Hsu into the system of Ariga and Chang so that documents could be moved around the internet.

5. Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ariga (US 6,625,455) in view of Chang et al (US 6,487,406) and further in view of Haartsen (US 6,351,643).

Regarding claim 13, the combination of Ariga and Chang teaches the method as in claim 11. The combination of Ariga and Chang does not specifically disclose the area of restricted service access and the second area of restricted service access are a same area.

Haartsen teaches the area of restricted service access and the second area of restricted service access are a same area (see column 6, lines 53-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Haartsen into the system of Ariga and Chang in order to avoid interference with a cellular network sharing the same frequencies (see Haartsen, column 1, lines 25-30).

Regarding claim 20, Ariga further teaches determining whether the second cellular phone device is in a quiet zone includes steps of requesting base stations to page the cellular phone device, receiving an acknowledgement from one of the base stations, if a message is received that indicates the cellular phone device is in a quiet zone, processing the call as a quiet zone call, and if a preset period of time passes without receiving the message, processing the call as a standard call (see column 5, line 45 to column 6, line 11).

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Feltner (US 6,515,997) teaches method and system for automatic configuration of a gateway translation function.

b. Thakker (US 6,487,602) teaches system and metod for accessing the internet in an internet protocol-based cellular network.

c. Bergenwall (US 6,567,664) teaches registration for mobile nodes in wireless internet protocol.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Nghi H. Ly

11/10/03

Marsha D. Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600